

## REMARKS

Claims 3-5, 9-11, 15-17, 19, 21, and 23-29 are pending, with claims 4, 9, 15, and 24, and 27 being independent. Claims 3, 4, and 9 have been amended, claims 2, 8, 12-14, 18, 20, and 22 have been canceled, and new claims 24-29 have been added. New independent claim 24 mirrors claim 4 prior to amendment, but without recitation of "starch acetate", and new independent claim 27 mirrors claim 9 prior to amendment. No new matter has been added.

Applicants would like to thank the Examiner for the indication that claims 2, 3, 8, 11, and 12 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 4 has been amended to incorporate the subject matter of allowable claim 12 and claim 9 has been amended to incorporate the subject matter of allowable claim 8. Applicants point out that in incorporating the subject matter of allowable claim 8 into claim 9, the phrase "of  $\gamma$ - or  $\delta$ -carboxylic acids" has been replaced with the phrase "of  $\gamma$ - or  $\delta$ -hydroxy acids" for clarification purposes. Support for this amendment can be found in that application as originally filed, for example, at page 1, line 22. No new matter has been added.

### § 103 Rejection

- I -

Claims 13 and 14 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 6,417,424 ("Bewick-Sonntag"). Applicants respectfully traverse this rejection.

Claims 13 and 14 have been canceled, rendering this rejection moot.

Accordingly, withdrawal of this rejection is respectfully requested.

- II -

Claims 4, 5, and 17 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Bewick-Sonntag in view of U.S. Patent No. 5,372,739 ("Neal"). Applicants respectfully traverse this rejection.

As noted above, claim 4 has been amended to incorporate the subject matter of allowable claim 12.

Accordingly, withdrawal of this rejection is respectfully requested.

- III -

Claims 9, 10, 15, 16, and 21 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Bewick-Sonntag in view of U.S. Patent No. 4,145,518 ("Morie"). Applicants respectfully traverse this rejection.

As noted above, claim 9 has been amended to incorporate the subject matter of allowable claim 8.

The Office Action asserts, "It would have been obvious to one of ordinary skill in the art at the time of invention to provide a lactone in place of cellulose acetate in the article of Bewick-Sonntag, since Morie teaches the function equivalence of the two materials for use in absorbent materials." (Office Action, Pages 4-5).

Applicants point out that all Morie discloses about lactones is that  $\gamma$ -butyrolactone, as an alternative to many other substance, e.g., 1,3-butanediol diacetate or dimethyl phthalate (col. 2, lines 61-62; col. 3, lines 24-29), can be used as a plasticizer, and that some of these plasticizers can be blended with cellulose acetate (col. 2, lines 26-28). Therefore, if anything, Morie merely discloses equivalence between butyrolactone and, e.g., 1,3-butanediol diacetate or dimethyl phthalate. Morie does not disclose equivalence not between butyrolactone or any other lactone and cellulose acetate.

Thus, Applicants respectfully submit that Bewick-Sonntag in view of Morie does not disclose or suggest hygiene product with odor control comprising **a superabsorbent material containing a non-acidic compound selected from acid anhydrides, cyclic lactides, lactones and hydrolysable esters**, in which said non-acidic compound is present in an amount of 1-20 wt.% with respect to the weight of the superabsorbent material, wherein the hygiene product is a diaper, incontinence pad or sanitary napkin, as recited in claim 15.

Accordingly, withdrawal of this rejection is respectfully requested.

### New Claims

New independent claim 24 mirrors claim 4 prior to amendment, but without recitation of "starch acetate." New independent claim 27 mirrors claim 9 prior to amendment.

Previous Claim Set	Current Claim Set
4	24 (without "starch acetate")
5	25
17	26
9	27
10	28
21	29

Accordingly, the new claims do not raise new issues that would require further consideration and/or new search. Accordingly, the Examiner is requested to enter and allow the "new" claims. As noted above, Applicants respectfully submit that Morie does not disclose equivalence not between butyrolactone or any other lactone and cellulose acetate.

Thus, Applicants respectfully submit that the prior art does not disclose or suggest: (1) superabsorbent material with odor control containing **a non-acidic compound selected from acid anhydrides, cyclic lactides, butyrolactone, valerolactone, and glucuronolactone**, in which said non-acidic compound is present in an amount of 1-20 wt.% with respect to the weight of the superabsorbent material, as recited in new claim 24; or (2) hygiene product with odor control comprising **a superabsorbent material containing a non-acidic compound selected from acid anhydrides, cyclic lactides and lactones**, in which said non-acidic compound is present in an amount of 1-20 wt.% with respect to the weight of the superabsorbent material, wherein the hygiene product is a diaper, incontinence pad or sanitary napkin, as recited in new claim 27.

### Conclusion

For the reasons stated above, it is requested that all the rejections be withdrawn and that this application be allowed in a timely manner.


Should any questions arise in connection with this application or should the Office feel that a teleconference with the undersigned would be helpful in resolving any issues pertaining to this application, it is requested that the undersigned be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: December 20, 2007

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